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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

*PDL*

BY:

DEPUTY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

ANITA KINCADE,

Plaintiff,

vs.

MERCK & COMPANY,  
INCORPORATED (a/k/a MERCK &  
CO., INC.), et al.,

Defendant.

CASE NO. 06-CV-2042-H-BLM

**ORDER SETTING BRIEFING  
SCHEDULE ON  
DEFENDANT'S MOTION TO  
STAY**

Defendants removed this action on September 21, 2006. (Doc. No. 1.) On October 25, 2006, Defendant Merck & Company, Inc. filed a motion to stay proceedings pending a decision on transfer by the Judicial Panel on Multidistrict Litigation. (Doc. No. 9.) Plaintiff shall respond to Defendant's motion on or before **November 13, 2006**, and Defendant shall file any reply on or before **November 20, 2006**. The Court will either submit the motion on the papers pursuant to its discretion under Civil Local Rule 7.1(d)(1), transfer the case pursuant to an order from the Judicial Panel on Multidistrict Litigation, or set a hearing date after receiving the response and reply.

IT IS SO ORDERED

Dated: 10/26/06

*Marilyn D. Huff*  
MARILYN D. HUFF, District Judge  
UNITED STATES DISTRICT COURT

1 Copies to:

2 Robert F. Clarke  
3 Philips & Associates  
4 3030 North Third Street, Suite 1100  
5 Phoenix, AZ 85012

6 Erik T. Atkisson  
7 Reed Smith  
8 2 Embarcadero Center, Suite 2000  
9 San Francisco, CA 94111-3922

10 Michael K. Brown  
11 Reed Smith  
12 355 South Grand Avenue, Suite 2900  
13 Los Angeles, CA 90071

14 Kanika D. Corley  
15 Morris Polich and Purdy  
16 1055 West Seventh Street, 24th Floor  
17 Los Angeles, CA 90017-2550